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IN THE MATTER OF THE :
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
 :
HEAVENLY TOUCH HAIR & SPA SALON : LS0606053BAC
RESPONDENT. :

Division of Enforcement Case No. 03 BAC 055

The parties to this action for purposes of Wis. Stat. § 227.53 are:

Heavenly Touch Hair & Spa Salon
ATTN: Christine Bromeland
208 N. Willard Avenue
Janesville, WI 53548

Barbering and Cosmetology Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

This matter comes before the Barbering and Cosmetology Examining Board as a citation to which Respondent has made no timely response. Based on the record in this case, the Barbering and Cosmetology Examining Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- On or about February 10 , 2005, the Division of Enforcement duly served upon the above-named Respondent the citations attached to this Order as Exhibits 1, 2 and 3. Service was accomplished by mail.
- Respondent has failed to timely file an answer or any response to the Division of Enforcement Citations (Exhibits 1-3).
- Inspection of Respondent establishment revealed the violations set forth in Exhibits 1-3.

CONCLUSIONS OF LAW

- The Barbering and Cosmetology Examining Board has jurisdiction in this matter pursuant to Wis. Stat. § 454.15.
- By failing to make a deposit or otherwise respond to the citation in a timely fashion, Respondent is in default under Wis. Admin. Code § BC 10.07(1), and the Barbering and Cosmetology Examining Board may make findings and enter an order on the basis of the citation issued against Respondent.
- By failing to maintain the establishment and equipment in a clean, sanitary and safe condition, Respondent has violated Wis. Admin. Code § BC 4.01(1) (Exhibit 1). By failing to change daily the disinfectant used for decontamination (Barbicide), Respondent has violated Wis. Admin. Code § BC 4.02(5) (Exhibit 2). By failing to keep cleaning supplies in a locked cabinet in the bathroom, Respondent has violated Wis. Admin. Code § BC 3.01(6) (Exhibit 3).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that Respondent shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED DOLLARS (\$300.00) and costs of NINETY DOLLARS (\$90.00).

Payment shall be submitted within 30 days from the date of this order. Payment shall be made by *certified check or money order*, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

Violation of this order may result in a refusal to renew credentialing or additional disciplinary action.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush 6/5/06
On Behalf of the Board Date